FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.779 OF 2005
IN
WRIT PETITION NO.4479 OF 2001

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	: : : : :	Court's or Judge's Orders

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Mr. T.S. Ingale for the applicant.

Mr. S.M. Sabrad for the respondent.

CORAM: SMT. RANJANA DESAI, J.

DATED: 25TH APRIL, 2005.

P.C.:-

This civil application is filed by the respondent/original defendant -tenant for a direction to the plaintiff-landlord to carry out repairs of roof and ceiling by replacing damaged and broken tiles and cement sheets of the suit premises bearing C.T.S.No.1419 situated at "D" Ward, Jaysingpur, Dist. Kolhapur.

I have heard the learned counsel for the parties. The learned counsel for the opponent-landlord states that the applicant-tenant has not paid the arrears of rent. The learned counsel

for the applicant-tenant disputes this. He says that, however, if there are any arrears, his client will deposit the same in the trial court within 10 days from today. The learned counsel for the opponent-landlord states that if all the arrears are deposited within 10 days, the opponent-landlord will carry out tenantable repairs within a week, thereafter. In view of this, the civil application is disposed of.

Needless to say that even after paying the arrears, if the opponent-landlord does not carry out the repairs, the applicant-tenant can approach this court.

All concerned to act on the authenticated copy of this order.

(SMT. RANJANA DESAI, J.)